

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES SOUTHERLAND,

Petitioner,

v.

Case No. 04-73365
Hon. Victoria A. Roberts
Mag. Paul J. Komives

MARY BERGHUIS, Warden

Respondent.

**ORDER ADOPTING REPORT AND RECOMMENDATION AND
DENYING PETITION FOR HABEAS CORPUS RELIEF**

This matter is before the Court on Petitioner's objections to the Report and Recommendation ("R&R") of Magistrate Komives, recommending denial of Petitioner's petition for writ of habeas corpus pursuant to 28 USC § 2254. After reviewing the Petitioner's objections, the Court **ADOPTS** the R&R and **DENIES** Petitioner's petition for writ of habeas corpus.

For the reasons set forth in the R&R, the Court **ADOPTS** the R&R and **DENIES** Petitioner's petition for habeas corpus.

IT IS SO ORDERED.

S/Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: April 14, 2006

The undersigned certifies that a copy of this document was served on the attorneys of record and pro se petitioner by electronic means or U.S. Mail on April 14, 2006.

S/Carol A. Pinegar

Deputy Clerk